



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

April 4, 1994

TO: Minerals File

FROM: Wayne Hedberg, Permit Supervisor *WH*
Travis Jones, Reclamation Hydrologist *TWJ*

RE: Site Inspection, Cudahy Mine, S/027/043, Millard County, Utah

Date of Inspection: March 4, 1994
Time of Inspection: 2:00 P.M.
Conditions: Sunny and Warm
Participants: Travis Jones and Wayne Hedberg, DOGM; Rody Cox, BLM

Purpose of Inspection: Evaluate on-site conditions to determine if Mr. Tom Clark should be released from the small mining notice he has filed.

Indications of recent activity were present on-site. Specifically, newly formed tire tracks, crushed vegetation, and evidence of material removed from a stockpile(s) and quarry face(s) were observed. Also, while driving past the site that same morning, Rody Cox observed a tandem truck and trailer just off the Kanosh road on the access road to the Cudahy mine site. The truck and trailer had Idaho license plates and the name Hess Pumice on the side. Rody spoke with Mr. Steve Sorenson of Diversified Stone who was operating a front-end loader assisting the driver in gaining access to the mine site.

A subsequent telephone conversation between Mr. Sorenson and Wayne Hedberg of the Division on March 21, 1994, confirmed the fact that pumice had been removed from the mine site that day. Mr. Sorenson indicated he had an agreement/arrangement with Mr. Byron Ray (claimant) to remove pumice from the mine site and to send appropriate royalty payment based upon the amount of material removed.

Mr. Clark informed the Division in a letter, dated January 28, 1993, that he wished to put his notice "on hold" as no work or disturbance to the property will take place under his direction until he informs the Division that he intends to start operating on the Cudahy property. The 1992 annual report accompanying this letter indicated the property was in litigation and all work will be held up until the dispute is resolved. In his 1993



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annual report Mr. Clark maintains that another operator has performed work on the property in 1993 and Mr. Clark is not involved with that operation. He also indicated the total disturbed acreage at years end is unknown.

Mr. Clark called the Division and spoke with Division staff member Tony Gallegos on January 6, 1994. Mr. Clark asked that his Small Mining Notice of Intent (NOI) be canceled. Tony asked Mr. Clark to send a letter asking the Division to cancel the NOI. During the conversation Mr. Clark said he did not want to be associated with ongoing operations that may be occurring on the mine site. In a letter, dated January 6, 1994, Mr. Clark requested his permit be formally terminated. He again asserted another operator has been operating at this mine and he does not want to be associated in any way with this operator. He did not know who the operator(s) was, or if the operator was permitted with the Division.

Several photos were taken of the existing site disturbances to compare with previous photos on file. No physical measurements were taken of the disturbed area, however the Division visually estimated the mining-related disturbances at approximately 10 acres. If all of the surface disturbance was created, or continued to be used, post-Act (after 1975), then this site may need to be permitted as a large mining operation with appropriate reclamation surety posted with the Division.

The Division may require Mr. Clark to demonstrate/prove the fact that he did not conduct mining operations on the Cudahy property. The Division should be informed of the details of the litigation that occurred over this property and how this affected Mr. Clark's operation. Mr. Clark may wish to pursue and secure a permit transfer of his present small mining application between himself and the new operator(s).

jb
cc: Rody Cox, Warm Springs RA BLM
Lowell Braxton, DOGM
Steve Sorenson, Diversified Stone
Thomas Clark
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